

Notice of Allowability

Application No.

09/863,296

Applicant(s)

JUN ET AL.

Examiner

Art Unit

Kuen S. Lu

2167

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 8/26/2005.
2. ☒ The allowed claim(s) is/are 1, 3-17 and 19-24.
3. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some* c) ☐ None of the:
- ☒ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).
- * Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
- (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
- 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
- (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

- | | |
|---|--|
| 1. <input type="checkbox"/> Notice of References Cited (PTO-892) | 5. <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 6. <input checked="" type="checkbox"/> Interview Summary (PTO-413),
Paper No./Mail Date <u>#1</u> . |
| 3. <input type="checkbox"/> Information Disclosure Statements (PTO-1449 or PTO/SB/08),
Paper No./Mail Date _____ | 7. <input checked="" type="checkbox"/> Examiner's Amendment/Comment |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit
of Biological Material | 8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance |
| | 9. <input checked="" type="checkbox"/> Other <u>Drawing 1, filed on 4/6/2004</u> . |

DETAILED ACTION

1. After a thorough search and examination of the present application, and in light of the prior art made of record and Applicant's response of August 26, 2005, Claims 1, 3-17 and 19-24 are allowed.
2. The Examiner considered and accepted May 24, 2000 as the foreign priority date claimed by the Applicant.
3. The Applicant's explanation of multimedia contents, multimedia streams and multimedia metadata as components of multi-media data is considered and accepted. The Examiner's objection to claims 1 and 10 is hereby withdrawn.

Examiner's Amendments

4. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of the issue fee. Authorization for this Examiner's amendment, listed below, was given in a telephone interview with Mr. Daniel Y. J. Kim (Registration #: 36,186), on November 7, 2005. A copy of the interview summary is attached.
5. Please replace Drawing 1, filed on May 24, 2001 with Drawing 1, filed on April 6, 2004. A copy of Drawing 1, filed on April 6, 2004 is also attached.

Reason for Allowable

6. In the Examiner's Office Action for non-Final Rejection of May 13, 2005, 35 U.S.C. 35 U.S.C. § 103, rejections was based on the primary reference, U.S. Patent 6,360,234 B2, Jain et al., "VIDEO CATALOGER SYSTEM WITH SYNCHRONIZED ENCODERS",

Issued March 19, 2002 (hereafter "Jain") and the secondary references, U.S. Patent 5,930,493 A, Ottesen et al. "MULTIMEDIA SERVER SYSTEM AND METHOD FOR COMMUNICATING MULTIMEDIA INFORMATION", Issued July 27, 1999 (hereafter "Ottesen") and U.S. Patent 6,526,580 B2, Shimomura, Issued February 25, 2003 (hereafter "Shimomura").

In the Remarks filed on August 26, 2005, the Applicant specifically pointed out that the references cited, either individually or in combination, do not teach multimedia data is provided in advance to the index server and only the indexed data is firstly provided to the subscriber index before providing any multimedia contents corresponding to the extracted data.

After further review of search results conducted over the past two years and the Applicant's most currently amended claims, and consideration of the above remarks, the Examiner is convinced that the prior art made of record does not teach the following subject matter which is an element of independent claims 1 and 10:

"wherein the data server system provides the multimedia streams to the index server system before providing the multimedia streams to the subscriber equipment, and the index server system extracts the index data for the multimedia streams provided in advance and first provides only the extracted index data to the subscriber equipment before providing any multimedia contents corresponding to the extracted index data".

An update search conducted as described below, the claims 1 and 10, as lastly amended on December 8, 2004 for the subject Application filed on May 24, 2001 and foreign priority claimed as May 24, 2000, is hereby considered and accepted.

A search for the prior arts on EAST database has been recently conducted to further extend and update the scope the searches conducted during the past one and half years on domains (EAST, NPL-ACM, Google, NPL-IEEE, Oracle, Sun Micro, etc.). The prior arts searched and investigated in domains (EAST, NPL-ACM, Google, NPL-IEEE, Oracle, Sun Micro, etc) do not fairly teach or suggest the teaching of the combined elements as claimed in the independent claims 1 and 10.

The dependent Claims (3-9 and 24) and (11-17 and 19-23), depending claims 1 and 10, respectively, also distinct from the prior art for the same reason.

7. Any comments considered necessary by Applicants must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance".

Contact Information

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kuen S. Lu whose telephone number is (571) 272-4114. The examiner can normally be reached on Monday-Friday (8:30 am-5:30 pm). If attempts to reach the examiner by telephone pre unsuccessful, the examiner's supervisor, Jean R. Homere, Esq. can be reached on (571) 272-3780. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

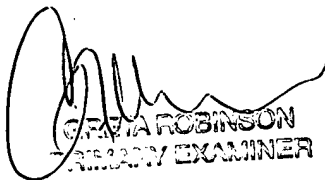
Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for Page 13 published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 886-217-9197 (toll-free).

Kuen S. Lu,



Patent Examiner,

November 7, 2005



GRETA ROBINSON
PATENT EXAMINER



FIG.1

